

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FAKE BAKE LLC, an Oklahoma)
 Limited Liability Company,)
)
 Plaintiff,)
 v.)
)
 WORMSER CORPORATION,)
 a New Jersey Corporation,)
)
 Defendant.)

Case No. CIV-13-59-C

DEFENDANT WORMSER CORPORATION'S WITNESS AND EXHIBIT LIST

Defendant Wormser Corporation submits the following witness and exhibit list:

WITNESS LIST

| No. | Name/Address | Anticipated Testimony |
|------------|---|---|
| 1. | David Wormser Wormser Corporation c/o Henry D. Hoss McAfee & Taft 10th Floor, Two Leadership Square 211 North Robinson Oklahoma City, OK 73102-7103 Telephone: (405) 235-9621 | Mr. Wormser may have discoverable information pertaining to the amounts owed to Wormser as well as amounts owed to Plaintiff. Mr. Wormser may also have testimony regarding the agreement at issue in this case, and the actions of Fake Bake U.K., Limited and Alexandra Louise McClumph. |
| 2. | Richard Alston Wormser Corporation c/o Henry D. Hoss McAfee & Taft 10th Floor, Two Leadership Square 211 North Robinson Oklahoma City, OK 73102-7103 Telephone: (405) 235-9621 | Mr. Alston may have discoverable information pertaining to the amounts owed to Wormser as well as amounts owed to Plaintiff. Mr. Alston also has knowledge regarding the dealings with Fake Bake U.K., and Ms. McClumpha. Mr. Alston also has knowledge regarding the proceedings in Scotland involving Fake Bake U.K. He may also have knowledge regarding Fake Bake United. |
| 3. | Joe Cooper c/o Plaintiff's Counsel | Upon information and belief, Mr. Cooper is a member of the Plaintiff. He is believed to have knowledge regarding Plaintiff, Fake Bake U.K. Limited and Fake Bake United. |

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| 4. | Mary Cooper c/o Plaintiff's Counsel | Upon information and belief, Mr. Cooper is a member of the Plaintiff. She is believed to have knowledge regarding Plaintiff, Fake Bake U.K. Limited and Fake Bake United. |
| 5. | Alexandra Louise McClumpha Scotland | It is believed that Ms. McClumpha will have information regarding her failure to pay for products supplied by Wormser as well as the Plaintiff, which should have been paid to Wormser. Ms. McClumpha may also have knowledge regarding Fake Bake U.K., Limited and Fake Bake United. |
| 6. | Representative of Fake Bake U.K., Limited Unknown | Representative of Fake Bake U.K., Limited to discuss its dealings with the Plaintiff, Wormser Corporation and Fake Bake United. |
| 7. | Representative of Fake Bake United Unknown | Testimony regarding its dealings with Fake Bake U.K. Limited and Plaintiff. |
| 8. | Alan Love Scotland | Mr. Love was a former director of Fake Bake UK and may have knowledge regarding dealings between Plaintiff, Fake Bake UK and Fake Bake United. |
| 9. | Ronan Cruise Scotland | Mr. Cruise was a former director of Fake Bake UK and may have knowledge regarding the matters at issue in this lawsuit. |
| 10. | Martha Kranig Wormser Corporation c/o Henry D. Hoss McAfee & Taft 10th Floor, Two Leadership Square 211 North Robinson Oklahoma City, OK 73102-7103 Telephone: (405) 235-9621 | Ms. Kranig is the Vice President of Sales for Wormser Corporation and will have knowledge regarding shipments to Plaintiff and amounts owed by Plaintiff. |

EXHIBIT LIST

| No. | Description |
|-----|--|
| 1. | Accounts receivable trial balance for orders by Plaintiff from Wormser. |
| 2. | Invoices, Bills of Laden and shipping documents evidencing product purchased |

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| | by Plaintiff from Wormser. |
| 3. | A Summary of the amounts owed to Wormser by Plaintiff. |
| 4. | Invoices and shipping documents relating to purchase of products sold to Fake Bake UK |
| 5. | Restated Distribution Agreement |
| 6. | Addendum to the Restated Distribution Agreement |
| 7. | Documents relating to Fake Bake product taken by Fake Bake from Fake Bake UK. |
| 8. | Wholesale and retail price list for Fake Bake product. |
| 9. | Order Report for product ordered by Fake Bake from Wormser. |
| 10. | Description and summary of product stored by Wormser for Fake Bake. |
| 11. | Summary including value of product being stored by Wormser for Fake Bake. |
| 12. | Any exhibit listed by Plaintiff to which the Defendant does not object. |
| 13. | Discovery has not commenced beyond initial disclosures and therefore Wormser reserves the right to list additional exhibits. |

Submitted this 15th day of July, 2013.

s/ Henry D. Hoss
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 2013, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Cheryl P. Hunter, Esq.
Kirk & Chaney
101 Park Avenue, Suite 800
Oklahoma City, OK 73102

/s/Henry D. Hoss

Henry D. Hoss